

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed August 24, 2004. No fee is due for the addition of any new claims.

Claims 1-50 were pending in the Application prior to the outstanding Office Action. Applicant has added claims 51-55. Claims 1-55 are now pending. In the Office Action, the Examiner subjected claims 1-50 to a restriction and/or an election requirement. The Examiner requested restriction to one of the following claim groups:

I. Claims 1-30 and 50.

II. Claims 31-49.

Applicant provisionally elects group I and requests reconsideration of the restriction. The Examiner, in requesting restriction, states that the claimed inventions have different modes of operation, different functions, and different effects. Applicant respectfully submits that this claim is mistaken. Both groups are directed towards a device which stores conversational elements and generates an audible emission in response to receiving an input.

In the case of claim 21, for example, the input is "a device for providing a conversation representation", such as a display showing text or an icon, keys, text or some other conventional form of input.

With regard to claim 31, the input is a scanning device that reads a code associated with the conversation element, thus prompting the processing device to generate the audible utterances associated with the conversational element.


While the first group of claims provides a greater amount of granularity regarding the

storage and processing of the input, both claim groups recite devices for storing conversational elements and generating audible utterances. In both cases, a device storing conversation elements receives a user-selection of a conversation element, determines the requested conversation element, and generates an audible emission in response to the user selection.

In light of the above, Applicant respectfully submits that the two referenced claim groups do not comprise separate inventions and respectfully request that the Examiner lift the restriction requirement.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: September 24, 2004 By: 
Bryon T. Wasserman
Reg. No. 48,404

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800
Fax: (415) 362-2928
Customer No.: 23910